



**U.S. Army Corps
of Engineers**
Baltimore District

Public Notice

In Reply to Application Number
NAB-2008-01248 (2008-61177) (MES/GARNER SCRAP TIRE SITE/TIRE
REMOVAL & VEG STABILIZATION)

PN-08-33

Comment Period: May 28, 2008 to June 18, 2008

THE PURPOSE OF THIS PUBLIC NOTICE IS TO SOLICIT COMMENTS FROM THE PUBLIC ABOUT THE WORK DESCRIBED BELOW. AT THIS TIME, NO DECISION HAS BEEN MADE AS TO WHETHER OR NOT A PERMIT WILL BE ISSUED.

The Baltimore District has received an application for a Department of the Army Permit pursuant to Section 404 of the Clean Water Act (33 U.S.C. 1344), as described below:

APPLICANT: Mr. Wallace Garner
c/o Ms. Gwen Gibson
ARCADIS
326 First Street, Suite 200
Annapolis, Maryland 21403

LOCATION: In nontidal wetlands and unnamed tributaries and Tom Walls Branch at Brandywine, Prince Georges County, Maryland.

WORK: To remove scrap tires from ravines within an approximate 671,869 square foot area of an unknown volume of scrap tires; to deposit the removed tire debris at an existing upland (non-wetland) disposal area at the Fairfax County Landfill-Lorton facility or other approved, licensed tire disposal facility; to restore, in place, the areas disturbed by removal activities by employing slope stabilization and erosion control methods; seeding the areas with appropriate seed mixes; planting seedling of tree species native to the site; and emplacing permanent stone check dams, as necessary, for channel stabilization. Marsh mats may be used for equipment access.

This work would temporarily impact approximately 64,120 square feet, which is an approximate 1.47-acre area of forested wetland habitat and 88,906 square feet, which is an approximate 2.04-acre area along 8,446 linear feet of streambed. The proposed check dam work would permanently impact approximately 23,044 square feet along 961.2 linear feet of streambed. All work is to be completed in accordance with the enclosed plans. If you have any questions concerning this matter, please contact Mrs. Kathy Anderson at 410-962-5690.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

The applicant is required to obtain a water quality certification in accordance with Section 401 of the Clean Water Act from the Maryland Department of the Environment. Any written comments concerning the work described above which relate to water quality certification must be received by the Standards and Certification Division, Maryland Department of the Environment, Montgomery Park Business Center, 1800 Washington Boulevard, Suite 430, Baltimore, Maryland 21230-1708 within the comment period as specified above to receive consideration. Written comments concerning the work described above related to the factors listed above or other pertinent factors must be received by the District Engineer, US Army Corps of Engineers, Baltimore District, PO Box 1715, Baltimore, Maryland 21230-1715, within the comment period as specified above to receive consideration. The 401 certifying agency has a statutory limit of one year to make its decision.

The applicant must obtain any State or local government permits which may be required.

A preliminary review of this application indicates that the proposed work will not affect listed species or their critical habitat pursuant to Section 7 of the Endangered Species Act as amended. As the evaluation of this application continues, additional information may become available which could modify this preliminary determination.

Review of the latest published version of the National Register of Historic Places indicates that no registered properties listed as eligible for inclusion therein are located at the site of the proposed work. Currently unknown archeological, scientific, prehistoric, or historical data may be lost or destroyed by the work to be accomplished under the requested permit.

The evaluation of the impact of the work described above on the public interest will include application of the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404 of the Clean Water Act. Any person who has an interest which may be adversely affected by the issuance of this permit may request a public hearing. The request, which must be in writing, must be received by the District Engineer, US Army Corps of Engineers, Baltimore District, PO Box 1715, Baltimore, Maryland 21203-1715, within the comment period as specified as above to receive consideration. Also, it must clearly state forth the interest which may be adversely affected by this activity in the manner in which the interest may be adversely affected.

It is requested that you communicated the foregoing information concerning the proposed work to any persons known by you to be interested and not being known to this office, who did not receive a copy of this notice.



LEGEND:

■ ■ ■ APPROXIMATE SITE LOCATION

NOTE:

1. USGS PRINCE FREDERICK QUADRANGLE DOWNLOADED FROM THE MARYLAND DEPARTMENT OF NATURAL RESOURCES AT <http://www.dnr.state.md.us/gis/>

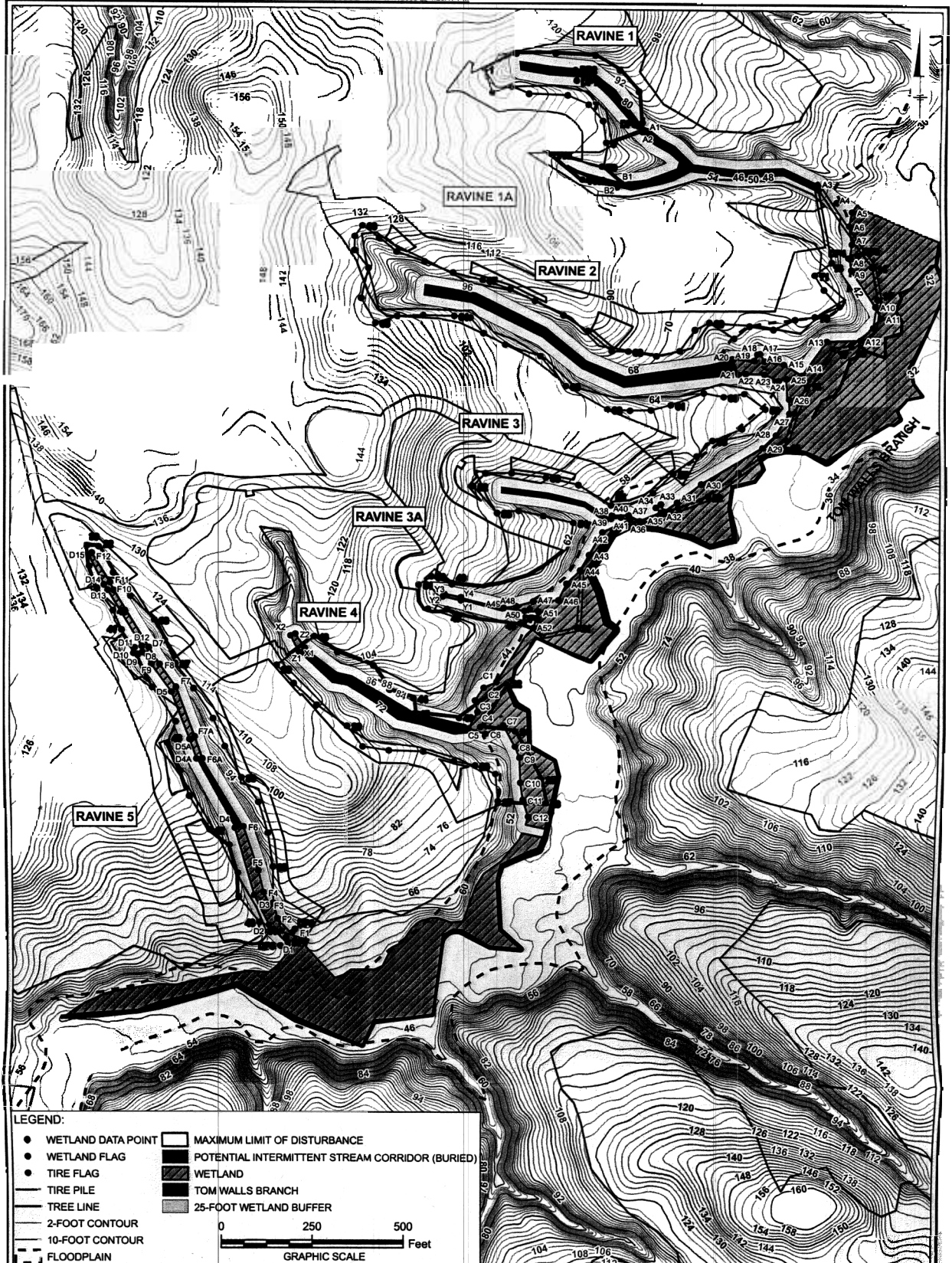
MARYLAND ENVIRONMENTAL SERVICE
BRANDYWINE, MARYLAND
**GARNER/BRANDYWINE SCRAP TIRE
CLEANUP SITE**

SITE LOCATION MAP

ARCADIS

FIGURE

1



NOTES:

1. WETLANDS, WETLAND FLAGS, AND TIRE PILE LAYERS PROVIDED BY CHARLES P. JOHNSON & ASSOCIATES, SILVER SPRING, MARYLAND.
2. DIGITAL SOURCE: LINEWORK FOR TREE LINE AND CONTOURS PROVIDED BY THE MARYLAND- NATIONAL CAPITAL PARK AND PLANNING COMMISSION (MNCPPC).
3. DIGITAL SOURCE: LINEWORK FOR 100 YEAR FLOODPLAIN PROVIDED BY THE MARYLAND DEPARTMENT OF NATURAL RESOURCES.
4. ARCADIS BBL PLACED 71 TIRE FLAGS IN THE FIELD. TO BETTER DELINEATE THE TIRE PILE AREA, THE SURVEY CREW MEASURED ADDITIONAL LOCATIONS, WHICH ARE NOT NUMBERED. ALL LOCATIONS APPEAR AS TIRE FLAGS.

MARYLAND ENVIRONMENTAL SERVICE
 BRANDYWINE, MARYLAND
 JOINT PERMIT APPLICATION

WETLANDS MAP



FIGURE
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